

Dec. Res.

Improvement Res. No. 950-1956

For the vacation of the north thirty  
(30) feet of the first alley east of  
Oakland St. from the north P/L of Lot  
No. 74, Pape's 3rd Add. to a point  
two (2) feet north of the south property  
line of Lot No. 74, Pape's 3rd Addition.

Resolution Adopted:

Nov. 15, 1956

Confirmed:

Dec. 13, 1956

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Report Completed:

Assessment Roll Confirmed:

March 21, 1957

950

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the north thirty (30) feet of the first alley east of Oakland Street from the north property line of Lot No. 74, Pape's 3rd Addition to a point two (2) feet north of the south property line of Lot No. 74, Pape's 3rd Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the north thirty (30) feet of the first alley east of Oakland Street from the north property line of Lot No. 74, Pape's 3rd Addition to a point two (2) feet north of the south property line of Lot No. 74, Pape's 3rd Addition.

All as shown by a plan of such proposed ~~Opening~~ ~~Vacation~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lot No. 74, Pape's 3rd Addition and part of Lot No. 19, Ewing's Out Lots. Both additions inclusive to the City of Fort Wayne, Indiana.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by <sup>SAID</sup> above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplement<sup>S</sup> thereof.

~~The vacation of the above described Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section Three, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 15th DAY OF Nov. 19 56

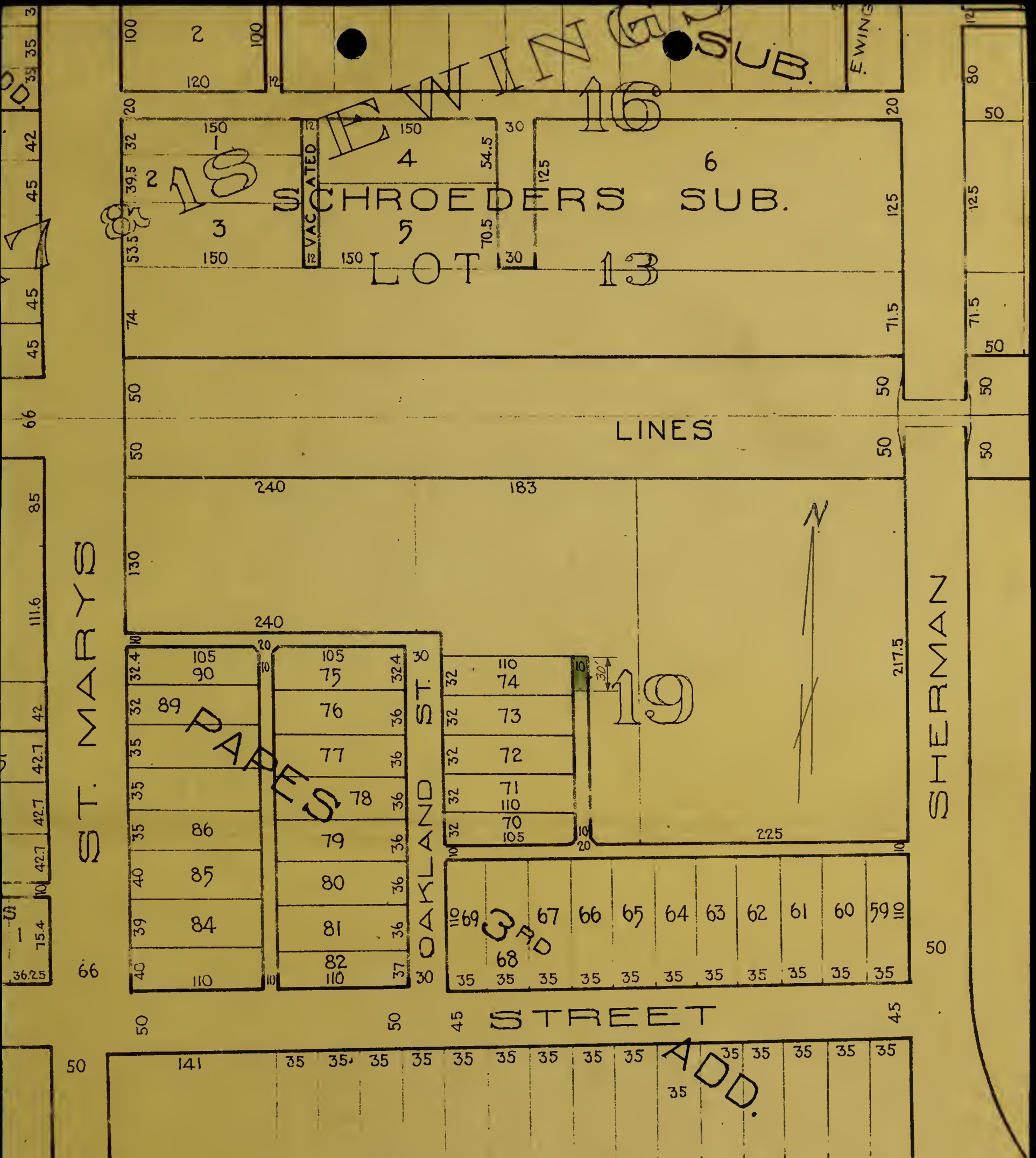
Attest:

*L. J. McQuinn*  
Secretary Board of Public Works

Clerk-Bkpr.

*John M. O'Connell*  
Board of Public Works.





N.E. 1/4 - SEC. 3.  
62

Nov. 15, 1956

Mr. C. R. McAnlis, City Engineer

Prepare Property Owner List

950 - For the vacation of the north thirty (30) feet of the first alley east of Oakland Street from the north property line of Lot No. 74, Pape's 3rd Addition to a point two (2) feet north of the south property line of Lot No. 74, Pape's 3rd Addition.

Yours truly,

*J. L. Hallett*  
J. L. Hallett, Secretary  
BOARD OF PUBLIC WORKS

JLH:c



Dec. 13, 1956

Mr. D. C. Morin, Chief Engineer  
Assessment Roll

You are hereby requested to prepare ASSESSMENT ROLL of BENEFITS & DAMAGES for Dec. Res. No. 950 - for the vacation of the north thirty feet of the first alley east of Oakland Street from the north property line of Lot No. 74, Pape's 3rd Addition to a point two feet north of the south property line of Lot No. 74, Pape's 3rd Addition.

Yours truly,

*J. L. Hallett*

J. L. Hallett, Secretary  
BOARD OF PUBLIC WORKS

JLH:c

Date October 29, 1956

To: Board of Public Works

Subject: J. L. Hallett notice to Mr. C. R. McAnlis of October 18, 1956, requesting plans for vacating of the north 30 feet of the 10 foot alley which lies immediately west and adjacent to the rear of Lot #74 in Pape's Third Addition to the City of Fort Wayne, (more commonly referred to as 1028 Oakland Street).

No water mains or services affected by the above proposed vacation.

*B. Kreckman*

B. Kreckman

Water Engineering Department

mkh

P. S. There is an existing sewer in this alley, the north 30' of which can be used as the private connection for the proposed owner, providing a standard manhole is built at the south property line of Lot #74, so that the remaining sewer may be cleaned.

*H. A. Kerby*

H. A. Kerby, Chief Engineer  
Water & Sewer

HAK:hb

# City of Fort Wayne

Indiana



OFFICE OF  
BOARD OF PUBLIC WORKS

FORT WAYNE, INDIANA

Oct. 8, 1956

Mr. R. Y. Adams,  
Planning Director  
505 Standard Building  
Fort Wayne, Indiana

Dear Sir:

We are referring to you for investigation and report a petition for the vacating of the north 30 feet of the 10-foot alley which lies immediately west and adjacent to the rear of Lot No. 74 in Pape's Third Addition to the City of Fort Wayne (more commonly referred to as 1028 Oakland Street).

Yours truly,

For: BOARD OF PUBLIC WORKS

By:

J. L. Hallett  
J. L. Hallett, Secretary

*No specific directions.  
R. Y. A.*

JLH:m  
Enc.



HELMKE, PHILIPS & BEAMS

ATTORNEYS AT LAW

417-423 STANDARD BLDG.

FORT WAYNE 2, INDIANA

WALTER E. HELMKE

PAUL W. PHILIPS

GLEN J. BEAMS

WALTER P. HELMKE

October 3, 1956

Board of Public Works  
City Hall  
Fort Wayne, Indiana

In re: Vacation of Alley

Gentlemen:

As attorneys for L. W. Dailey Construction Company, 1034 Oakland Avenue, Fort Wayne, Indiana, we respectfully request the institution of proceedings by the Board of Public Works, under Burns 48-2001, for the vacation of the following described part or section of an alley in the City of Fort Wayne, to-wit:

The north 30 feet of the 10-foot alley which lies immediately west and adjacent to the rear of Lot No. 74 in Pape's Third Addition to the City of Fort Wayne (more commonly referred to as 1028 Oakland Street).

Lot No. 74 adjoins the L. W. Dailey Construction Company warehouse and that section of the alley which we propose to have vacated is bounded on the north and east by such building and on the west by the rear of said Lot No. 74. Lot No. 74 is actually 32 feet wide, but the vacation proposal does not include that section of the alley which adjoins the south 2 feet of Lot No. 74.

That section of the alley which we propose to have vacated is not used by the owners of Lot No. 74 for ingress or egress and, of course, cannot be used as a through alley because the aforesaid L. W. Dailey Construction Company warehouse building is located on the north boundary of said alley. Mr. L. W. Dailey, president of said construction company, proposes to extend such building over the area which we propose be vacated, that is, over the 30' x 10' section, in order to provide more storage and work space for his company and employees.

We have conferred with Mr. A. H. Kerby, of the Sewer Engineering Department of the City Utilities, relative to the location of water mains and sewers in said section of alley, and he has informed us that there are no sewer or water mains maintained by the City in said section of the alley. We have also



HELMKE, PHILIPS & BEAMS

Board of Public Works  
October 3, 1956  
Page 2

conferred with Mr. Jack Hinman, of the City Light Engineering Department, relative to the location of utility poles. Mr. Hinman has informed us that a city utility pole is located at the southwest corner of Lot No. 74, but such pole would not be interfered with by the proposed vacation.

Respectfully submitted,

HELMKE, PHILIPS & BEAMS

A handwritten signature in cursive script, appearing to read "Walter P. Helmke".

Walter P. Helmke

WPH/b11

# P E T I T I O N

Fort Wayne, Ind., \_\_\_\_\_

**To the Board of Public Works of the City of Fort Wayne:**

Gentlemen:

The undersigned, owners of real

estate on \_\_\_\_\_, from

to \_\_\_\_\_

respectfully petition for the passage of a resolution providing for the





Vacation

**Petition for Passage**

of a Resolution for

vacating the north 30 ft.  
of the 10 ft. alley which lies  
immediately west and adjacent to  
to the rear of Lot No. 74 in Pape's  
Third. Addition to the City of Port  
Wayne (more commonly referred to  
as 1028 Oakland Street).

from

to

Filed with the Board of Public Works

Re: R. Y. Adams-10/8/56.

Plans Ordered: 10/18/56



## DECLARATORY

~~Improvement~~ Resolution No. 950-1956 For Improving THE VACATION OF THE NORTH THIRTY (30) FEET OF THE FIRST ALLEY EAST OF OAKLAND STREET FROM THE NORTH PROPERTY LINE OF LOT No. 74, PAPER'S 3RD ADDITION  
TO A POINT TWO (2) FEET NORTH OF THE SOUTH PROPERTY LINE OF LOT No. 74, PAPER'S 3RD ADDITION.

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	L. W. DAILEY PROPERTIES INC.	1034 Oakland St.	PART OF LOT 19				EWING'S OUTLOT IN SECT. 3-30-12E.
2	BYALL, FRED + DARLENE G.	1028 "	74				PAPER'S 3RD ADDITION
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21	NATIONAL METHOD OBSERVED						
22	<u>Mar 30, 1956</u>						
23	By <u>Nancy Heard</u>						
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950-11-20-56

